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NC

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
087650, 719	05/20/96	MAILLOUX	J 95-0653

W ERIC WEBOSTAD
MICRON TECHNOLOGY INC
8000 S FEDERAL WAY
BOISE ID 83706

LM01/0217

EXAMINER

KIM, H

ART UNIT PAPER NUMBER

2751

8

DATE MAILED: 02/17/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/650,719

Applicant(s)

Mailoux et al

Examiner

H. Kim

Group Art Unit

2751

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 (three) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 12/7/98
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-9, 33-35, 46 & 48-50 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-9, 33-35, 46, & 48-50 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☒ Notice of References Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

Detailed Action

1. Claims 1-9, 33-35, 46, and 48-50 are presented for examination. Claims 10 and 47 have been deleted by the amendment. This office action is in response to the Amendment filed on 12/7/98.

2. The status of the related U.S. applications or patents should be updated and/or included as appropriate in the CROSS-REFERENCE TO RELATED APPLICATIONS section and in any other corresponding area in the specification, if any. (e.g., U.S. Patent Application Serial No. #####, filed Sept. 07, 1990, now abandoned; ..., now U.S. Patent #,###,### issued Jan. 01, 1994; or This application is a continuation of Serial Number #####, filed on December 01, 1990, now abandoned; ...etc.)

Specification

3. The objection to the title has been withdrawn because of the amendment.

Claim Objections

4. The objection to the claim has been withdrawn because of the amendment

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 USC § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

6. Claims 1-9, 33-35, 46, and 48-50 are rejected under 35 USC 102(b) as being anticipated by *Manning*, U.S. Patent 5,610,864.

As to claims 1, 33, and 46, *Manning* discloses the invention as claimed. *Manning* discloses an asynchronously accessible storage device (Fig. 1 and EDO constitutes asynchronous memory, col. 6 lines 14-16) capable to switch between the pipelined mode (col. 5 lines 43-50) and burst mode (col. 6 lines 14-16); and pipelined/burst circuitry coupled to the mode selection circuitry and configure to select between two modes.(Fig. 1 Ref. 40 and col. 6 lines 14-16).

As to claim 50, *Manning* further discloses a microprocessor (Fig. 11 Ref. 112). It is inherent that there is a system clock in the microprocessor to operate the processor.

As to claims 2, 3, and 4, *Manning* further discloses EDO memory (col. 6 line 15.

As to claim 5, *Manning* further discloses a buffer for storing an address (Fig. 1 Refs. 18,

22, and 30).

As to claim 6, Manning further discloses at least one counter (Fig. 1 Ref. 26 and col 5 lines 51-53).

As to claim 7, Manning further discloses receiving an external address (Fig. 1 Ref. 16).

As to claim 8, Manning further discloses a buffer for storing an external address (Fig. 1 Refs. 18, 22, and 30).

As to claim 9, Manning further discloses multiplexed devices for proving an internally generated address to the storage device (Fig. 1 Refs. 26 and 30 and col. 4 16-28).

As to claim 34, Manning further discloses a step of switching between the pipelined mode and burst mode (col. 6 lines 14-16 and col. 5 lines 42-50).

As to claim 35, Manning further discloses the second address is an external address (Fig. 1 Refs 16 and 30).

As to claims 48 and 49, Manning further discloses column, row, application, fixed access

based switching (Fig. 1 Refs. 38 and 40).

Response to Amendment

7. Applicant's arguments with respect to claims 1-9, 33-35, 46, 48-50 have been considered but are deemed to be moot in view of the new grounds of rejection.

Applicant's argument on page 6 bottom that the reference does not disclose "a pipeline mode" is not considered persuasive. Manning discloses an asynchronously accessible storage device (Fig. 1 and EDO constitutes asynchronous memory, col 6 lines 14-16) capable to switch between **the pipelined mode (col. 5 lines 43-50)** and burst mode (col. 6 lines 14-16); and pipelined/burst circuitry coupled to the mode selection circuitry and configure to select between two modes.(Fig. 1 Ref. 40 and col. 6 lines 14-16). Therefore, broadly written claims are disclosed by the references cited.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. USP 5,713,011, Jan. 27, 1998, Synchronized data processing system and image processing system; Jun Satoh, et al..
2. USP 5,754,838, May 19, 1998, Synchronous dynamic memory device capable of operating over wide range of operation frequencies; Ken Shibata, et al..

9. This application currently names joint inventors. In considering patentability of the

claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

10. When responding to the office action, Applicant is advised to clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. He or she must also show how the amendments avoid such references or objections. See 37 C.F.R. § 1.111(c).

11. Applicants are requested to number each line of each claim starting with line number one to provide easier communication in the future.

12. When responding to the office action, Applicant is advised to provide the examiner with the line numbers and page numbers in the application and/or references cited to assist examiner to locate the appropriate paragraphs.

13. A shortened statutory period for response to this action is set to expire 3 (three) months

and 0 (zero) days from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 USC 133, MPEP 710.02, 710.02(b)).

14. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Hong Kim whose telephone number is (703) 305-3835. The Examiner can normally be reached on the weekdays from 8:30 AM to 5:00 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Eddie Chan, can be reached on (703) 305-9712.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

15. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-9051-2, (for formal communications intended for entry)

Or:

(703) 308-5359 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal

Serial Number: 08/650,719
Art Unit: 2751

-8-
Paper No. 8

Drive, Arlington. VA., Sixth Floor (Receptionist).

12h

HK
Patent Examiner
February 11, 1999


EDDIE P. CHAN
SUPERVISORY PATENT EXAMINER